



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)	Before the Examiner
Frank J. Schwab et al.)	Nicholas W. Woodall
)	
Serial No. 10/680,358)	Group Art Unit 3733
)	
Filed: October 7, 2003)	
)	
INSERTION DEVICE AND)	April 18, 2007
TECHNIQUES FOR ORTHOPAEDIC)	
IMPLANTS)	Atty. Docket No. MSDI-245/PC819.00

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Pursuant to the duty of disclosure embodiment in 37 C.F.R. §1.56, applicant wishes to bring to the attention of the Examiner the following patents, publication and/or other information listed on the attached PTO Form SB/08A.

This information is not believed to have previously submitted in this application, and has not heretofore been cited by the Examiner. Copies of foreign references are enclosed herewith. The filing of this Second Supplemental Information Disclosure Statement shall not construed as an admission that the information cited is, or is considered to be, material to patentability as defined in §1.56 or prior art.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope with sufficient postage addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 18, 2007.

Douglas A. Collier
Name of Registered Representative

Douglas A. Collier
Signature

April 18, 2007

Date of Signature

04/23/2007 TL0011 00000008 10680358

01 FC:1806

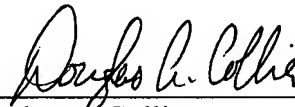
180.00 OP

USSN 10/680,358
Second Supplemental IDS
MSDI-245/PC819.00

This Second Supplemental Information Disclosure Statement is being submitted after the first Office Action on the merits but before the receipt of a Final Office Action or Notice of Allowance per 37 C.F.R. §1.97(c)(2). A credit card authorization in the amount of the requisite fee is provided herewith.

The Commissioner is authorized to charge such fee or credit any overpayment to Deposit Account No. 12-2424, but not to include issue fees.

Respectfully submitted:

By: 
Douglas A. Collier
Reg. No. 43,556
Krieg DeVault LLP
2800 One Indiana Square
Indianapolis, Indiana 46204-2079
Phone: (317) 238-6333
Facsimile: (317) 636-1507

KD_IM-942245_1.DOC



PTO/SB/08A (09-06)

Approved for use through 03/31/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 4

Complete if Known

Application Number	10/680,358
Filing Date	October 7, 2003
First Named Inventor	Frank J. Schwab
Art Unit	3733
Examiner Name	Nicholas W. Woodall
Attorney Docket Number	MSDI-245/PC819.00

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 4,386,603	06/07/1983	Mayfield	
		US- 4,736,738	04/12/1988	Lipovsek et al.	
		US- 4,898,161	02/06/1990	Grundeir	
		US- 4,955,885	09/11/1990	Meyers	
		US- 5,122,130	06/16/1992	Keller	
		US- 5,192,327	03/09/1993	Brantigan	
		US- 5,235,966	08/17/1993	Jamner	
		US- 5,505,732	04/09/1996	Michelson	
		US- 5,599,279	02/04/1997	Slotman et al.	
		US- 5,697,889	12/16/1997	Slotman et al.	
		US- 5,722,977	03/03/1998	Wilhelmy	
		US- 5,944,658	08/31/1999	Koros et al.	
		US- 6,004,326	12/21/1999	Castro et al.	
		US- 6,038,225	07/04/2000	Winslow et al.	
		US- 6,096,038	08/01/2000	Michelson	
		US- 6,174,311	01/16/2001	Branch et al.	
		US- 6,179,873	01/30/2001	Zientek	
		US- 6,224,599	05/01/2001	Baynham et al.	
		US- 6,224,607	05/01/2001	Michelson	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
		EP 0 531 710 A2	03/17/1993	United States Surgical		
		EP 0 637 439 A1	02/08/1995	Karlin Technology, Inc.		
		EP 1 295 578 A2	03/26/2003	DePuy AcroMed, Inc.		
		EP 1 323 396 A2	07/02/2003	DePuy AcroMed, Inc.		

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 2 of 4**Complete if Known**

Application Number	10/680,358
Filing Date	October 7, 2003
First Named Inventor	Frank J. Schwab
Art Unit	3733
Examiner Name	Nicholas W. Woodall
Attorney Docket Number	MSDI-245/PC819.00

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 6,261,296	07/17/2001	Aebi et al.	
		US- 2001/0010001	07/26/2001	Michelson	
		US- 6,270,498	08/07/2001	Michelson	
		US- 6,332,887	12/25/2001	Knox	
		US- 6,395,034	05/28/2002	Suddaby	
		US- 2002/0082695	06/27/2002	Neumann	
		US- 6,436,101	08/20/2002	Hamada	
		US- 2002/0116009	08/22/2002	Fraser et al.	
		US- 2002/0138078	09/26/2002	Chappuis	
		US- 6,478,800	11/12/2002	Fraser et al.	
		US- 2002/0177897	11/28/2002	Michelson	
		US- 6,514,260	02/04/2003	Zdeblick et al.	
		US- 2003/0028197	02/06/2003	Hanson et al.	
		US- 2003/0045884	03/06/2003	Robie et al.	
		US- 2003/0083664	05/01/2003	Rogers et al.	
		US- 6,565,574	05/20/2003	Michelson	
		US- 2003/0130737	07/10/2003	McGahan et al.	
		US- 6,595,995	07/22/2003	Zdeblick et al.	
		US- 2003/0149438	08/07/2003	Nichols et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 3 of 4

Complete if Known

Application Number	10/680,358
Filing Date	October 7, 2003
First Named Inventor	Frank J. Schwab
Art Unit	3733
Examiner Name	Nicholas W. Woodall
Attorney Docket Number	MSDI-245/PC819.00

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 6,610,065	08/26/2003	Branch et al.	
		US- 2003/0187448	10/02/2003	Michelson	
		US- 2003/0195520	10/16/2003	Boyd et al.	
		US- 2003/0195517	10/16/2003	Michelson	
		US- 6,635,060	10/21/2003	Hanson et al.	
		US- 6,641,582	11/04/2003	Hanson et al.	
		US- 6,648,891	11-18-2003	Kim	
		US- 6,652,533	11/25/2003	O'Neil	
		US- 2004/0002758	01/01/2004	Landry et al.	
		US- 6,663,638	12-16-2003	Ralph et al.	
		US- 7,118,580	10-10-2006	Beyersdorff et al.	
		US- 7,169,153	01-30-2007	Keller	
		US- 2003/0069586	04-10-2003	Errico et al.	
		US- 2003/0078590	04-24-2003	Errico et al.	
		US- 2003/0229358	12-11-2003	Errico et al.	
		US- 2004/0225295	11-11-2004	Zubok et al.	
		US- 2005/0021040	01-27-2005	Bertagnoli	
		US-			
		US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Complete if Known			
		Application Number	10/680,358		
		Filing Date	October 7, 2003		
		First Named Inventor	Frank J. Schwab		
		Art Unit	3733		
		Examiner Name	Nicholas W. Woodall		
Sheet	4	of	4	Attorney Docket Number	MSDI-245/PC819.00

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		SYNTHES, SynCage Surgical Technique; Mathys Medical Ltd - Osteosynthesis; pages 1-24; Guterstrasse 5, PO Box CH-2544, Bettlach, SWITZERLAND	

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.